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9 CITY OF SAN LEANDRO

10
11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

13 INTERNATIONAL CHURCH OF THE
14 FOURSQUARE GOSPEL,

15 Plaintiff,

16 v.

17 CITY OF SAN LEANDRO, a municipal
18 corporation,

19 Defendant.
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23 FAITH FELLOWSHIP FOURSQUARE
24 CHURCH,

25 Real Party in Interest.
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Case No. C07-03605-PJH

DEFENDANT CITY OF SAN
LEANDRO'S REQUEST FOR
JUDICIAL NOTICE IN SUPPORT
OF ITS MOTION FOR SUMMARY
JUDGMENT OR IN THE
ALTERNATIVE SUMMARY
ADJUDICATION OF CLAIMS

Hearing:

Date: October 1, 2008

Time: 9:00 a.m.

Courtroom: 3

Honorable Phyllis Hamilton
Complaint Filed: 7/12/07

1 Defendant City of San Leandro (“the City”) requests that this Court take judicial
 2 notice of certain exhibits submitted concurrently, pursuant to Federal Rules of Evidence,
 3 Rule 201. This request for judicial notice and the exhibits are submitted in support of the
 4 City’s motion for summary judgment or in the alternative summary adjudication of
 5 claims.

6 Judicial notice is requested of the following:

- 7 Exhibit 1 Zoning Code, Article 1, Title, Components, and Purposes
- 8 Exhibit 2 Zoning Code, Article 3, Definitions (excerpts)
- 9 Exhibit 3 Zoning Code, Article 5, Residential Districts (excerpts)
- 10 Exhibit 4 Zoning Code, Article 7, Industrial Districts
- 11 Exhibit 6 Zoning Code, Article 22, Use Permits, Variances and Parking Exceptions
- 12 Exhibit 7 General Plan and Land Use Element (excerpts)
- 13 Exhibit 19 Ordinance No. 2007-005 An Ordinance Of The City of San Leandro
 14 Amending San Leandro Zoning Code: Part I, Article 3, Deleting Definitions
 15 For ‘Clubs & Lodges’ And ‘Religious Assembly’ And Adding A New
 16 Definition For ‘Assembly Uses’; Part II, Article 5, Amending Sections 2-
 17 504, 2-506, 2-508 and 2-510 For Consistency With New Definitions; Part III,
 18 Amending Article 13; and Part IV, Article 17, Amending Section 4-1704,
 19 dated April 2, 2007
- 20 Exhibit 20 Ordinance No. 2007-006 An Ordinance Of The City Of San Leandro Zoning
 21 Certain Properties Herein Described As To Zoning With An Assembly Use
 22 Overlay District And Amending Zoning Map For 196 Identified Properties,
 23 dated April 2, 2007
- 24 Exhibit 32 Webster’s New Universal Unabridged Dictionary (1992), definition of
 25 “assembly”
- 26 Exhibit 33 Webster’s New Universal Unabridged Dictionary (1992), definition of
 27 “institution”
- 28 Exhibit 35 Transcript, City Council meeting, May 7, 2007

